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Valerie Jarrett, David Lawee, Hiroshi Mikitani, Ann  
Miura-Ko, and Mary Agnes (Maggie) Wilderotter*

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17 UNITED STATES DISTRICT COURT  
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19 NORTHERN DISTRICT OF CALIFORNIA  
20  
21 OAKLAND DIVISION

22 In re LYFT INC. SECURITIES  
LITIGATION

23 Master File No. 4:19-cv-02690-HSG

24 **DECLARATION OF COLLEEN C. SMITH  
IN SUPPORT OF LYFT DEFENDANTS'  
MOTION TO DISMISS PLAINTIFF'S  
CONSOLIDATED AMENDED CLASS  
ACTION COMPLAINT**

25 This Document Relates to:  
ALL ACTIONS

26 Date: July 23, 2020  
Time: 2:00 p.m.  
Courtroom: Courtroom 2, 4th Floor

27 Hon. Haywood S. Gilliam, Jr.

1 I, Colleen C. Smith, declare as follows:

2 I am an attorney duly licensed by the State Bar of California and admitted to practice  
 3 before this Court. I am an attorney with the law firm of Latham & Watkins LLP, counsel of  
 4 record for Defendants Lyft, Inc. (“Lyft”), Logan Green, John Zimmer, Brian Roberts, Prashant  
 5 (Sean) Aggarwal, Jonathan Christodoro, Ben Horowitz, Valerie Jarrett, David Lawee, Hiroshi  
 6 Mikitani, Ann Miura-Ko, and Mary Agnes (Maggie) Wilderotter (“Lyft Defendants”) in the  
 7 above-captioned case. I make this Declaration in support of the Lyft Defendants’ Motion to  
 8 Dismiss Plaintiff’s Consolidated Amended Class Action Complaint for Violations of Federal  
 9 Securities Laws, filed concurrently herewith. I have personal knowledge of the facts stated in this  
 10 Declaration and, if called upon, could and would testify competently thereto.

11 1. Attached hereto as **Exhibit 1** is a true and correct copy of Lyft’s Form S-1/A  
 12 Registration Statement, as filed with the SEC on March 27, 2019.

13 2. Attached hereto as **Exhibit 2** is a true and correct copy of Lyft’s Form 10-Q for the  
 14 quarterly period ended March 31, 2019, as filed with the SEC on May 14, 2019.

15 3. Attached hereto as **Exhibit 3** is a true and correct copy of Uber Technologies,  
 16 Inc.’s Form S-1 Registration Statement, as filed with the SEC on April 11, 2019.

17 4. Attached hereto as **Exhibit 4** is a true and correct copy of an article published by  
 18 *The New York Times* on April 10, 2019, titled “Uber Is Said to Aim for I.P.O. Valuation of Up to  
 19 \$100 Billion,” and available at <https://www.nytimes.com/2019/04/10/technology/uber-ipo.html>.

20 5. Attached hereto as **Exhibit 5** is a true and correct copy of an article published by  
 21 CNN on April 14, 2019, titled “Lyft pulls electric bicycles in DC, NY and San Francisco after  
 22 reports of brake issues,” and available at <https://www.cnn.com/2019/04/14/tech/lyft-e-bike-service-pause/index.html>.

24 6. Attached hereto as **Exhibit 6** is a true and correct copy of an article published by  
 25 CNN on April 30, 2018, titled “CNN investigation: 103 Uber drivers accused of sexual assault or  
 26 abuse,” and available at <https://money.cnn.com/2018/04/30/technology/uber-driver-sexual-assault/index.html>.

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1       7. Attached hereto as **Exhibit 7** is a true and correct copy of an article published by  
 2 the *Financial Times* on December 27, 2018, titled “When things go wrong at Uber: inside its  
 3 serious incident team,” and available at <https://www.ft.com/content/3de6d6e8-034c-11e9-99df-6183d3002ee1>.

5       8. Attached hereto as **Exhibit 8** is a true and correct copy of an article published by  
 6 *Forbes* on May 21, 2018, titled “Lawmakers Seek Answers from Uber, Lyft on Sexual Assault  
 7 After CNN Report,” and available at  
 8 <https://www.forbes.com/sites/janetwburns/2018/05/21/lawmakers-finally-demand-answers-on-uber-lyft-sexual-assaults-after-cnn-report>.

10      9. Attached hereto as **Exhibit 9** is a true and correct copy of an article published by  
 11 *Newsweek* on May 1, 2018, titled “Uber and Lyft Drivers Accused of More than 120 Rapes and  
 12 Sexual Assaults: Report,” and available at <https://www.newsweek.com/uber-and-lyft-drivers-accused-more-120-rapes-and-sexual-assaults-report-906544>.

14      10. Attached hereto as **Exhibit 10** is a true and correct copy of an article published by  
 15 *The New York Times* on December 5, 2019, titled “19 Women Sue Lyft as Sexual Assault  
 16 Allegations Mount,” and available at <https://www.nytimes.com/2019/12/05/business/lyft-sexual-assault-lawsuit.html>.

18      11. Attached hereto as **Exhibit 11** is a true and correct copy of an article published by  
 19 *USA Today* on January 6, 2020, titled “The anti-Uber? Lyft’s track record on safety, sexual  
 20 assaults lawsuits undercuts ‘good guy’ image,” and available at  
 21 <https://www.usatoday.com/story/tech/2020/01/06/lyft-not-safer-than-rival-uber-sexual-assaults-drivers-critics/2828069001/>.

23      12. Attached hereto as **Exhibit 12** is a true and correct copy of an article published by  
 24 *Forbes* on March 25, 2019, titled “Uber and Lyft Drivers Strike in LA After Yet Another Uber  
 25 Pay Cut,” and available at <https://www.forbes.com/sites/janetwburns/2019/03/25/uber-and-lyft-drivers-strike-in-la-after-yet-another-pay-cut/#f30259026e41>.

27      13. Attached hereto as **Exhibit 13** is a true and correct copy of an article published by  
 28 *NBC News* on March 25, 2019, titled “Uber and Lyft drivers in Los Angeles strike over pay,

working conditions,” and available at <https://www.nbcnews.com/news/us-news/uber-lyft-drivers-los-angeles-strike-over-pay-working-conditions-n987276>.

14. Attached hereto as **Exhibit 14** is a true and correct copy of an article published by Bicycling magazine on April 26, 2019, titled “Lyft Pulled Thousands of E-Bikes From City Streets. Here’s What Went Wrong,” and available at <https://www.bicycling.com/news/a27287868/lyft-electric-bike-share-recall/>.

15. Attached hereto as **Exhibit 15** is a true and correct copy of Plaintiff's Amended Certification of Securities Fraud Class Action Complaint, filed with the Court on July 29, 2019 at ECF No. 49-1.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May  
14, 2020 in San Diego, California.

By:   
Colleen C. Smith